

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

ANGELO MARCELLUS IRVING, JR.,

Petitioner.

v.

UNITED STATES OF AMERICA

Respondent.

Criminal Action Number 3:01CR304-1

Civil Action Number 3:04CV859

FINAL ORDER

THIS MATTER is before the Court on ANGELO IRVING's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. Upon due consideration, and for the reasons set forth in the accompanying Memorandum Opinion, Petitioner's Motion is hereby DENIED.

Petitioner is reminded that he may appeal this Order but he must do so within thirty (30) days after entry of the Order. Any appeal must proceed in accordance with Rule 22 of the Rules of Appellate Procedure and 28 U.S.C. § 2253.

Let the Clerk send a copy of this Order to Mr. Irving and counsel for the United States.

It is SO ORDERED.

/s/ James R. Spencer

JAMES R. SPENCER

UNITED STATES DISTRICT JUDGE

APR 18, 2005

DATE